

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

VIRGIN ATLANTIC AIRWAYS LIMITED,¹

Debtor in a Foreign Proceeding.
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Chapter 15

Case No. 20-11804 (MEW)

ORDER CLOSING CHAPTER 15 CASE

This matter was brought by Shai Weiss, as the duly-authorized foreign representative of Virgin Atlantic Airways Limited in a proceeding under Part 26A of the Companies Act 2006 before the High Court of Justice of England and Wales, with the filing of a *Final Report and Motion to Close Chapter 15 Case* seeking the entry of an order closing this chapter 15 case (the **Final Report and Motion**)² pursuant to sections 350(a) and 1517(d) of Title 11 of the United States Code (the **Bankruptcy Code**), Rule 5009(c) of the Federal Rules of Bankruptcy Procedure (the **Bankruptcy Rules**), and Rule 5009-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Southern District of New York (the **Local Rules**).

The Court has considered and reviewed the Final Report and Motion. No objections or other responses were filed to the Final Report and Motion that have not been overruled, withdrawn, or otherwise resolved.

After due deliberation and sufficient cause appearing therefore, the Court finds and concludes as follows:

- a. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and 11 U.S.C. § 1501 and the *Amended Standing Order of*

¹ The last four digits of the United States Tax Identification Number, or similar foreign identification number, as applicable, for Virgin Atlantic Airways Limited are 3123.

² Capitalized terms used but not defined herein shall have the meanings given to them in the Final Report and Motion.

Reference of the United States District Court for the Southern District of New York, dated January 31, 2012, Reference M-431. In re Standing Order of Reference Re: Title 11, 12 Misc. 00032 (S.D.N.Y. Jan. 31, 2012) (Preska, C.J.).

- b. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P) and the Court may enter a final order consistent with Article III of the United States Constitution.
- c. Venue is proper in this District pursuant to 28 U.S.C. § 1410.
- d. This case has been “fully administered” within the meaning of section 350(a) of the Bankruptcy Code, Bankruptcy Rule 5009(c), and Local Rule 5009-2.
- e. Good, sufficient, appropriate, and timely notice of the filing of the Final Report and Motion has been given pursuant to Bankruptcy Rule 5009(c) and no other or further notice is necessary or required.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motion is **GRANTED** to the extent set forth herein.
2. This case is hereby closed pursuant to sections 350(a) and 1517(d) of the Bankruptcy Code, subject to being reopened under section 350(b) of the Bankruptcy Code.
3. All prior orders entered in this case shall remain in full force and effect following the entry of this Order, except as follows:
 - (a) for the avoidance of doubt, this Court’s Temporary Restraining Order dated August 4, 2020 [Dkt. No. 10] and this Court’s “Provisional Relief Order” dated August 7, 2020 [Dkt. No. 17] are of no further effect; and
 - (b) the relief set forth in paragraph 4 of this Court’s Order Granting Recognition and Related Relief, dated September 3, 2020 [Dkt. No. 37], shall only remain in effect to the extent necessary to bar Plan Creditors (as defined in the Plan) from taking actions within the territorial United States that are inconsistent with the Plan and

the Sanction Order, and shall not bar any actions that are permitted by the Plan and the Sanction Order.

4. The Court shall retain jurisdiction with respect to the enforcement, amendment, or modification of this Order and all prior orders entered in this case, the enforcement of the Plan and the Sanction Order in the United States, any request for additional relief, and any request by an entity for relief from the provisions of this Order, for cause shown, that is properly commenced and within the jurisdiction of the Court.

Dated; New York, New York
November 12, 2020

s/Michael E. Wiles
Hon. Michael E. Wiles
United States Bankruptcy Judge